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HDP/SB/21 based on PTO/SB/21 (08-00)



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/862,688
	Filing Date	May 22, 2001
	First Named Inventor	D. Mauer et al.
	Group Art Unit	not yet assigned
	Examiner Name	not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	0275M-000260/DVB

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p>PTO Form 1449 and return postcard.</p>
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2550. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Monte L. Falcoff
		Reg. No.	37,617
Signature			
Date	September 19, 2001		

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
Typed or printed name	Monte L. Falcoff		
Signature		Date	September 19, 2001

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/862,688
Filing Date: May 22, 2001
Applicant: D. Mauer et al.
Group Art Unit: not yet assigned
Examiner: not yet assigned
Title: RIVETING SYSTEM AND PROCESS FOR FORMING A RIVETED JOINT
Attorney Docket: 0275M-000260/DVB

L. Nelson
#2/IDS
10-3-01

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. XX Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

09/358,751
09/119,255

U.S. Filing Date

July 21, 1999
July 20, 1998

C. ____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. XX Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. XX A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ____ See the attached foreign search report.
2. XX English translations are provided for: CN 1113837A; FR 2350901;
USSR 1696081A1 and FR 2290970
3. XX Other:

Japanese Patent No. 63-90543 appears to show a rivet machine.

Japanese Patent No. 52-135960 appears to show a threaded rivet-like fastener secured to a workpiece.

Japanese Patent No. 49-16653 appears to show a threaded rivet-like fastener secured to a workpiece.

Japanese Patent No. 51-135265 appears to show a spring biased punch.

Japanese Patent No. 51-135319 appears to show a fastener with internal threads.

Japanese Patent No. 52-133877 appears to show a deformable fastener with internal threads.

Japanese Patent No. 60-94927 appears to show a punch and die arrangement.

Japanese Patent No. 61-20910 appears to show a threaded fastening system.

German Patent No. 1 292 112 appears to show a spring biased punch machine.

German Patent No. DE 40 19 467 A1 appears to show a material deforming punch.

German Patent No. DE 42 37 621 A1 appears to show a riveting machine.

European Patent No. 0 768 128 A1 appears to show a machine with opposing punches.

Japanese Patent No. 52-134180 appears to show a workpiece deforming machine having a spring biased punch.

Japanese Patent No. 56-120807 appears to show a fastening machine for deforming a fastener.

Japanese Patent No. 53-146866 appears to show a piercing rivet.

Japanese Patent No. 3-210931 appears to show a piercing fastener and die.

Japanese Patent No. 50-84976 appears to show a machine for installing a threaded fastener.

German Patent No. DE 44 19 065 A1 appears to show a riveting machine having a punch and die.

Japanese Patent No. 56-077042 appears to show a sheet material riveting machine with a feed conduit.

Weiterentwicklung der Stanzniettechnik appears to show a self piercing rivet and machine.

aT Angerwandte Technik appears to show various fastening systems including clinching, lanced joints and riveting.

Dubbel appears to show a variety of rivets.

Nieten ohne Vorlochen appears to show a self piercing rivet and machine.

Qualitatssicherung appears to show various riveting operations.

C. XX The following additional information is provided for the Examiner's consideration.

The following references appear to be somewhat more relevant than the other cited references: all of the references cited by the Examiner in the Office Actions of the parent and grandparent applications; WO/93/10925 (Henrob); U.S. 5,802,691 (Zoltaszek); U.S. 5,655,289 (Wille et al.); U.S. 5,473,805 (Wille); U.S. 5,533,250

(Ladouceur); U.S. 5,471,729 (Zoltaszek); U.S. 5,331,831 (Schneider); U.S. 5,131,255 (Fushiya); U.S. 5,060,362 (Birke et al.); U.S. 4,625,903 (Becht); U.S. 2,342,089 (Rossmann); CN 1 113 837 A (Obara Corp.); Abstract of JP 07 108497A (Nissan Motor Co.); U.S. 5,752,305 (Cotterill); and the Aluminum Industry article attached to the Declaration of K. Edwards. However, the Examiner is respectfully requested to review all of the cited references and make his/her own relevancy determination.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. XX The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Art Unit</u>
09/824,872	April 3, 2001	
09/768,965	January 24, 2001	
09/119,255	July 20, 1998	
Not yet received	September 4, 2001 (CIP of 09/768,965)	

V. THIS IDS IS BEING FILED UNDER

A. XX 37 C.F.R. § 1.97(b): (check only one box)

1. ____ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. XX before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ____ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ____ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ____ See the certification below. No fee is required.

C. ____ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ☐ Please charge Deposit Account No. 02-2550 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2550.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2550.

Respectfully submitted,

Dated: Sept. 19, 2001

By: 

Monte L. Falcoff
Reg. No. 37,617

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